

Appl. No. 09/768,394

Amdt. dated December 1, 2004

Reply to Office action of September 3, 2004

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

Claims 1-35 (canceled).

Claim 36 (currently amended). A baking mixture for baking non-perishable baked goods, comprising flours and/or starches, the proportion of flours and/or starches being at least 63.8 per cent by weight of said mixture excluding water, and a plasticizing amount of a plasticizing agent selected from the group consisting of erythritol, xylitol, mixtures of erythritol and xylitol, mixtures of erythritol and sugar, mixtures of xylitol and sugar, and mixtures of erythritol, xylitol, and sugar thereof, ~~with the proviso that sugar is not the only plasticizing agent.~~

Claim 37 (previously presented). The baking mixture according to claim 36, wherein the baking mixture is baked to hot heat-deformable baked articles being mechanically deformed in their hot plastic state and solidified in the obtained shape when cooling to the baked goods.

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Claim 38 (previously presented). The baking mixture according to claim 37, wherein said articles are mechanically deformed into rolls and solidified to wafer rolls, and the amount of erythritol and/or xylitol is in the range from 15-55% by weight, based on the total of flour and starch.

Claim 39 (previously presented). The baking mixture according to claim 37, wherein said articles are mechanically deformed into rolled cones and solidified to rolled wafer cones, and the amount of erythritol and/or xylitol is in the range from 12 to 35% by weight, based on the total of flour and starch.

Claim 40 (previously presented). The baking mixture according to claim 37, wherein said articles are mechanically deformed into deep-drawn shaped bodies and solidified to deep-drawn shaped bodies, and the amount of erythritol and/or xylitol is in the range from 15 to 55% by weight, based on the total of flour and starch.

Claim 41 (previously presented). The baking mixture according to claim 36, wherein the baking mixture is free of sugar and the plasticizing amount of erythritol and/or xylitol is in the range from 12 to 55% by weight, based on the total of flour and starch.

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Claim 42 (previously presented). The baking mixture according to claim 41, wherein the baking mixture is baked to hot heat-deformable baked articles being mechanically deformed in their hot plastic state and solidified in the obtained shape when cooling to the baked goods.

Claim 43 (previously presented). The baking mixture according to claim 42, wherein said articles are mechanically deformed into rolls and solidified to wafer rolls, and the amount of erythritol and/or xylitol is in the range from 20 to 55% by weight, based on the total of flour and starch.

Claim 44 (previously presented). The baking mixture according to claim 42, wherein said articles are mechanically deformed into rolled cones and solidified into rolled wafer cones, and the amount of erythritol and/or xylitol is from 12 to 35% by weight, based on the total of flour and starch.

Claim 45 (previously presented). The baking mixture according to claim 42, wherein said articles are mechanically deformed into deep-drawn shaped bodies and solidified into deep-drawn shaped bodies, and the amount of erythritol and/or xylitol is from 15 to 55% by weight, based on the total of flour and starch.

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Claim 46 (currently amended). A baking mixture for baking non-perishable baked goods being heat-deformable at an elevated temperature and characterized by a brittle and crispy texture at room temperature, a glass transition temperature above room temperature, said baking mixture comprising:

a) flours and/or starches, the proportion of flours and/or starches being at least 63.8 per cent by weight of said mixture excluding water,

b) an effective plasticizing amount of at least one plasticizing agent selected from the group consisting of at least one aliphatic polyol having four to five carbon atoms and an alcoholic hydroxyl group linked to each carbon atom, and mixtures of said at least one aliphatic polyol and sugar, wherein the quantity of sugar is in the range from 0 - 63.1% by weight based on the total of flour and starch, and

(c) water in the range from 70 - 150% by weight based on the total of flour and starch, ~~with the proviso that sugar is not the only plasticizing agent.~~

Claim 47 (previously presented). The baking mixture according to claim 46, wherein the baking mixture is free of sugar.

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Claim 48 (previously presented). The baking mixture according to claim 46, wherein said aliphatic polyol is selected from the group consisting of erythritol and xylitol.

Claim 49 (previously presented). The baking mixture according to claim 48, wherein the weight per cent of said polyol is in the range from 12 to 55% based on the total of flour and starch.

Claim 50 (previously presented). The baking mixture according to claim 46, wherein the amount of sugar is in the range from 20 to 45% by weight, based on the total of flour and starch, and the amount of said polyol is in the range from 5 to 18% by weight, based on the total of flour and starch.

Claim 51 (currently amended). Non-perishable baked goods being heat-deformable at an elevated temperature and characterized by a brittle and crispy texture at room temperature, said baked goods comprising:

(a) flours and/or starches, the proportion of flours and/or starches being at least 63.8 per cent by weight of said mixture excluding water,

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(b) an effective plasticizing amount of at least one plasticizing agent selected from the group consisting of at least one aliphatic polyol having four to five carbon atoms and an alcoholic hydroxyl group linked to each carbon atom, and mixtures of said at least one aliphatic polyol and sugar, wherein the quantity of sugar is in the range from 0 - 63.1% by weight, based on the total of flour and starch, and

(c) water in an amount not exceeding 10% by weight, based on the total of flour and starch, ~~with the proviso that sugar is not the only plasticizing agent.~~

Claim 52 (previously presented). The baked goods according to claim 51, wherein the amount of water does not exceed 3%.

Claim 53 (previously presented). The baked goods according to claim 51, wherein the baking mixture is free of sugar.

Claim 54 (previously presented). The baked goods according to claim 51, wherein said polyol is selected from the group consisting of erythritol and xylitol.

Claim 55 (previously presented). The baked goods according to claim 53, wherein the amount of said polyol is in the range

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from 12 to 55% by weight based on the total of flour and starch.

Claim 56 (previously presented). The baked goods according to claim 53, wherein the amount of sugar is in the range from 20 to 45% by weight based on the total of flour and starch, and the amount of said polyol is in the range from 5 to 18% by weight based on the total of flour and starch.

Claim 57 (previously presented). The baked goods according to claim 53 having a neutral taste.

Claim 58 (previously presented). The baked goods according to claim 53 selected from the group consisting of wafer rolls, rolled wafer cones, rolled wafers, and deep-drawn shaped bodies.

Claim 59 (previously presented). The baked goods according to claim 51 made from starches without flour.